

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

JOSE PEREZ AND MARIA *
GUADALUPE PEREZ AND *
PATRICK L.T SHUMAKER *

V * CIVIL ACTION 7:13-CV-00261

GUADALUPE LUPE TREVINO *
SHERIFF OF HIDALGO COUNTY, *
TEXAS, AND HIDALGO COUNTY,
TEXAS AND THE CITY OF MISSION,
TEXAS

MOVANTS RESPONSE TO DEFENDANTS "LUPE" TREVINO, SHERIFF OF HIDALGO
COUNTY, TEXAS, AND HIDALGO COUNTY, TEXAS RESPONSE TO AMENDED
MOTION TO INTERVENE OF HECTOR RIVERA AND JOHNNY COURSE

TO THE HONORABLE JUDGE OF SAID COURT;

NOW COMES HECTOR RIVERA AND JOHNNY COURSE as Movants in the above entitled
and numbered cause and files this, their Response to Defendant's Lupe Trevino, Sheriff of
Hidalgo County, Texas and the County of Hidalgo response to our amended motion to intervene
and in support of same, would show the Court as follows:

I.

One of the arguments from Defendant's counsel is The Doctrines of *Res Judicata* and Collateral
Estoppel.

II.

Res Judicata

A. *If judgment is rendered in favor of a plaintiff in a particular suit, the plaintiff is
precluded from raising claims (in any future litigation) which were raised in (or could have been
raised) in that lawsuit.*

B. Elements: Before a court will apply the doctrine of res judicata to a claim, three elements must be satisfied:

- 1. There must have been prior litigation in which identical claims were raised (or could have been raised). In general, claims are sufficiently identical if they are found to share a “common nucleus of operative fact.”*
- 2. The parties in the second litigation must be identical in some manner to the parties in the original litigation, or be in privity with the parties in the first action.*
- 3. There must have been a final judgment on the merits in the original litigation.*

The case filed in State Court was never litigated on the merits by the Court or by Jury.

The amended petition was filed and the City of Mission and the County of Hidalgo filed their motion to dismiss based on sovereign immunity. Remember, this petition was filed way before any of the Panama Unit Officers made national news and the corruption being done within the City of Mission and in the County of Hidalgo. The Motion to Dismiss was granted. There was no hearing on the merits. The suits in the State case and the motion to intervene are not identical.

The amended motion to intervene is claiming:

1. Violation of 42 U.S.C. 1983 for Excessive Force.
2. Violation of 42 U.S.C 1983 for Unnecessary Infliction of Pain and Suffering
3. Violation of 42 U.S.C 1983 for Failure to Intervene to Prevent the Use of Excessive Force of the Unnecessary Infliction of Pain and Suffering.
4. Violation of 42 U.S.C. 1983 for Coercive Questioning and Conduct that Shocks the Conscience.
5. Conspiracy to Violate 42 U.S.C 1983 for Coercive Questioning and Conduct that Shocks the Conscience.
6. Conspiracy to Violate 42 U.S.C 1983
7. Common Law Assault and Battery
8. Common Law Intentional or Negligent Infliction of Emotional Distress
9. Violation of 42 U.S.C 1983 for Failure to Train, Supervise, and Have Adequate Policies.
10. Common Law Negligent Supervision, Hiring, Training, Discipline, and Retention.

III.

Collateral Estoppel

A. *If an issue has been decided in a particular case, it is treated as decided—without further proof—in any subsequent litigation that involves the issue. In other words, a person or party who seeks to relitigate any already decided issue is collaterally stopped from doing so.*

B. *Elements: Before a court will apply the doctrine of collateral estoppel, three elements must be satisfied:*

1. *There must have been a prior litigation in which the identical issue was brought before the court.*
2. *The issue must have been actually litigated in the first judicial proceeding, and the party against whom collateral estoppel is being asserted must have had a full and fair opportunity to litigate the issue in the first judicial proceeding.*
3. *The issue must necessarily have been decided and rendered as a necessary part of the court's final judgment.*

Again, the case filed in State Court was never litigated on the merits, instead it was dismissed based on immunity.

The amended petition was filed and the City of Mission and the County of Hidalgo filed their motion to dismiss based on sovereign immunity.

The suits in the State case and the motion to intervene are not identical. The amended motion to intervene is claiming:

1. Violation of 42 U.S.C. 1983 for Excessive Force.
2. Violation of 42 U.S.C 1983 for Unnecessary Infliction of Pain and Suffering
3. Violation of 42 U.S.C 1983 for Failure to Intervene to Prevent the Use of Excessive Force of the Unnecessary Infliction of Pain and Suffering.
4. Violation of 42 U.S.C. 1983 for Coercive Questioning and Conduct that Shocks the Conscience.
5. Conspiracy to Violate 42 U.S.C 1983 for Coercive Questioning and Conduct that Shocks the Conscience.
6. Conspiracy to Violate 42 U.S.C 1983

7. Common Law Assault and Battery
8. Common Law Intentional or Negligent Infliction of Emotional Distress
9. Violation of 42 U.S.C 1983 for Failure to Train, Supervise, and Have Adequate Policies.
10. Common Law Negligent Supervision, Hiring, Training, Discipline, and Retention.

IV.

Counsel for Defendant Lupe Trevino and the County of Hidalgo say that the Motion to Intervene and the reasons behind the motion are not the same as the lawsuit filed in this Court. They are exactly identical.

In July 2012, Jose Perez and his wife, Maria Guadalupe Perez were sitting in their home when 6 armed men burst into their home demanding drugs. This is exactly what happened to Movant, Hector Rivera.

On July 28th 2011 Patrick Shumaker was resting peacefully in his motel room at the Travel Lodge and was roused by members of the Panama Unit seeking to find drugs which they thought to be in the possession of Shumaker. This is exactly what happened to Johnny Course.

V.

Statute of Limitation

Defense Counsel is claiming the statute of limitations ran, which is untrue.

1. In State Court, Plaintiff's Amended Original Petition was filed on April 5th, 2012.
2. Order of Dismissal was signed on May 4th, 2012.

The Civil Rights Acts does not contain a statute of limitations for section 1983 actions.

/s/Richard Alamia
Richard Alamia
113 S. 10th Ave.
Edinburg, TX. 78539
956-381-5766
956-381-5774

Attachments

1. Plaintiff's Amended Original Petition filed in State Court.
2. Order Granting Defendants Motion to Dismiss
3. Plaintiff's First Amended Original Complaint 7:13-cv-00261
4. Docket Sheet from Original Petition filed in State Court.

/s/Richard Alamia

Certificate of Service

I certify that a true and correct copy of Movants response to Defendants Response to Movants amended motion to intervene was emailed to:

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On this the 2nd day of August 2013.

/s/Richard Alamia

HECTOR RIVERA JR.
VS
JONATHAN TREVINO
INDIVIDUALLY AND AS
POLICE OFFICER FOR THE
CITY OF MISSION AND AS
OFFICER OF HIDALGO
COUNTY JOINT NARCOTIC
TASK FORCE

CAUSE NO. CL-12-0522-G

* IN THE COUNTY COURT
*
*
* AT LAW NUMBER 7
*
*
*
* HIDALGO COUNTY, TEXAS

AT _____	FILED O'CLOCK _____ M
APR 05 2012	
ARTURO GLAZARDO JR., COUNTY CLERK COUNTY COURT AT LAW NO. _____ OF HIDALGO CO. BY _____ DEPUTY	

PLAINTIFF'S AMENDED ORIGINAL PETITION

NOW COMES Plaintiff Hector Rivera Jr. residing at [REDACTED] Palmview, Hidalgo County Texas. Complaining of the County of Hidalgo, the City of Mission, and Jonathan Trevino's negligent hiring, negligent training, negligent failure to train, negligent supervision, negligent retention, and assault and battery.

Defendant Jonathan Trevino may be served at 1201 E. 8th St. Mission, Texas 78572. Defendant City of Mission and the County of Hidalgo are political subdivisions of Texas Process and may be served on defendants by serving Ramon Garcia, Hidalgo County Judge at 1615 S. Closner Suite J Edinburg, TX. 78539 and Mayor of Mission Texas, Norberto Salinas and he may be served at 1201 E. 8th Street Mission, TX. 78572

II.

Plaintiff Hector Rivera Jr. on February 17th, 2010 was arrested for having a controlled substance to wit cocaine in the house. While he was asleep, police officer Jonathan Trevino slapped my client four times on his face, in a very hard manner. Other officers on the scene told Jonathan Trevino to stop slapping Plaintiff. At this time Plaintiff asked for his medications because Plaintiff suffers from seizures. Plaintiff was ignored by Jonathan Trevino and Mr. Trevino failed to give my client his medications. Defendant acted this way because my client failed to cooperate with him, in giving him information. Defendant Jonathan Trevino acted intentionally, knowingly and reckless. The Defendant slapped Plaintiff causing bodily injury.

III.

Police agencies have an obligation to train its police officers for the recurring tasks those officers will face during their career. Where it is foreseeable that a police officer will face a particular task that may result in harm to another person, the officer's agency must provide training in how to conduct that task in a manner which is consistent with generally accepted practices in law enforcement. What is "generally accepted" is defined by the law enforcement profession and by court decisions analyzing police conduct.

Training serves as a means toward high-level performance by police officers. Training is an input toward proper performance. The County of Hidalgo, and the City of Mission are negligent in not properly supervising its employees, not properly training them in the use of appropriate force and not properly adopting protocols on the appropriate use of force while conducting an investigation and arrest.

IV.

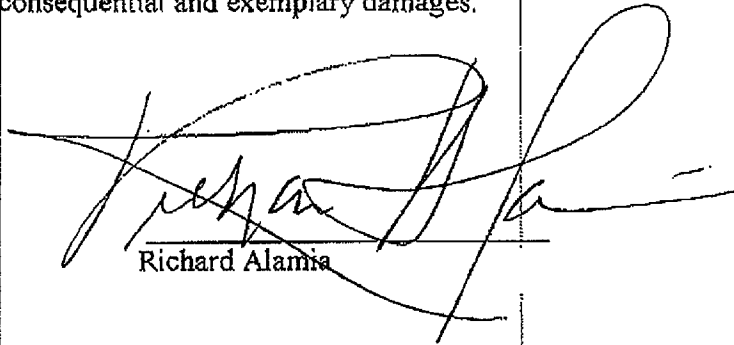
Defendant Jonathan Trevino acted intentionally and recklessly by assaulting Plaintiff. Plaintiff suffered emotional distress that was severe since Plaintiff suffers from seizures. Defendants actions, along with the County of Hidalgo and the City of Mission acted negligent in hiring, are negligent in training, negligent in failure to train, negligent in supervision, negligent retention, and assault and battery.

V.

Plaintiff has been damaged and Defendants conduct and actions was the proximate cause of Plaintiff's injuries. Damages are in excess of the minimum jurisdictional limits of the Court. WHEREFROM PREMISES CONSIDERED Plaintiff prays that:

1. Defendants be served

2. Plaintiff recover damages consequential and exemplary damages.
3. Court cost



Richard Alamia

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Willette & Guerra
10213 N. 10th St
McAllen, TX. 78520
956-383-4300
956-383-4304

AT 2:21 FILED 0'CLOCK
 COUNTY COURT
 MAY 08 2012
 ARTURO GUJARDO JR. COUNTY CLERK
 COUNTY COURT AT LAW NO. OF HIDALGO CO.
 BY DEPUTY

in this case and may be served with a copy of this amended complaint by serving his attorney, Hon. Preston Henrichson who will be served a copy of this pleading by email according to the Certificate of Service hereinafter.

6. Defendant HIDALGO COUNTY, TEXAS, a a local governmental entity, has appeared and answered in this case and may be served with process by serving its attorney, Hon. Preston Henrichson who will be served a copy of this pleading by email according to the Certificate of Service hereinafter.

7. Defendant CITY OF MISSION, TEXAS, a municipal corporation, has appeared and answered in this case and may be served with process by serving its attorney, Hon. Eileen Leeds, who will be served a copy of this pleading by email according to the Certificate of Service hereinafter.

JURISDICTION AND VENUE

8. The subject matter in controversy raises a question of federal law and is within the jurisdiction of this court pursuant to the provisions of 28 USC §§1331 and 1343, and Plaintiffs are seeking recovery of damages in excess of \$75,000.00

9. This court has jurisdiction over the parties because Defendants reside within the area of Texas served by the McAllen Division, Southern District of Texas.

FACTS

10. In July 2102, Jose G. Perez and his wife, Maria Guadalupe Perez, ("Plaintiffs") were sitting in their home when 6 armed men burst into their home demanding drugs. These invaders were agents and officers of the Panama Unit of the Hidalgo County Sheriff's Department and officers of the Mission Police Department. These intruders proceeded to ransack the furniture and broke open cabinets searching for their illegal prize

11. When the intruders found nothing in the home of Plaintiffs, they forced the elderly couple into an unmarked SUV, and told Jose G. Perez to "call someone that sells drugs or else". The driver threatened Perez that "if he didn't call someone right away, [he] was going to take him somewhere, and you know what I mean".

12. Jose G. Perez got on his cell phone and started dialing, and located someone who agreed to meet the invaders at Matt's Cash & Carry in Pharr, Texas. Soon thereafter, a car pulled up and opened his trunk to reveal 2 kilos of cocaine worth approximately \$50,000.00

13. The invaders released Plaintiffs and told them not to use their cell phones or look back. Mission Police records later revealed that the arrest and confiscation of the 2 kilos of cocaine was reported to be less than one-half the amount of cocaine seized.

14. On July 28, 2011, Plaintiff PATRICK T.L. SHUMAKER (hereinafter "SHUMAKER" was resting peacefully in his motel room at the Travel Lodge Motel in Pharr, TX was roused by members of the Panama Unit seeking to find drugs which they thought to be in the possession of SHUMAKER. Brandishing a fake search warrant allegedly signed by an unidentified judicial official, Jonathan Treviño and Gerardo Mendoza, illegally searched SHUMAKER's vehicle and motel room. In addition to terrorizing SHUMAKER, Treviño and Mendoza and other members of the Panama Unit illegally restrained SHUMAKER, took him to Mission P.D. where he was jailed overnight and finally discharged without any charges being filed against him.

PLAINTIFFS' CLAIMS FOR SECTION 1983

15. This is an action at law to redress the deprivation under color of statute, ordinance, regulation, custom, or usage of a right, privilege, and immunity secured to

Plaintiffs by the Fourteenth Amendment to the Constitution of the United States (R.S. 1979, 42 USC 1983, and arising under the law and statutes of the State of Texas.

16. At all times mentioned herein Defendant City of Mission was a municipal corporation of the State of Texas, and was the employer of participants in the Panama Unit. The City of Mission provided the participants in the Panama Unit with an official badge and identification card which designated and described its bearer as a police officer of the said city's police department. The City of Mission is the municipal corporation in whose name the participants in the Panama Unit performed all acts and omissions alleged herein.

17. At all times mentioned herein, Defendant Guadalupe "Lupe" Treviño, was the duly elected Sheriff of Hidalgo County, Texas in charge of the deputies who were the participants in the Panama Unit. The illegal activities of the Panama Unit was known to the Sheriff, and not only did he fail to intercede and curtail these illegal activities, as required by his oath of office, but he actively supported the illegal efforts of the Panama Unit.

18. At all times mentioned herein Defendant Hidalgo County was a political subdivision of the State of Texas and was the employer of the participants in the Panama Unit. Hidalgo County provided the participants in the Panama Unit with an official badge and identification card which designated and described its bearer as a deputy sheriff of Hidalgo County, and the participants in the Panama Unit performed all acts and omissions alleged herein under the auspices of Hidalgo County.

19. During all times mentioned herein, the Sheriff Guadalupe "Lupe" Treviño by and through his trusted subordinates, and the participants of the Panama Unit, separately and in concert, acted under color and pretense of law, to wit, under color of the statutes,

ordinances, regulations, customs and usages of the State of Texas and the County of Hidalgo and the City of Mission. Each of the defendants here, separately and in concert, engaged in the illegal conduct here mentioned to the injury of each of the Plaintiffs and deprived each of the Plaintiffs of the rights, privileges, and immunities secured to plaintiff[s] by the Fourteenth Amendment to the Constitution of the United States and the laws of the United States.

20. The Mission Police Department and its individual members, who are agents and employees of Defendants as well as the Hidalgo County Sheriff's Office, together with persons unknown to Plaintiffs, acting under color of law, have subjected Plaintiffs and other persons to a pattern of conduct consisting of conspiracy to kidnap each of the Plaintiffs, kidnapping, burglary of a habitation, and robbery, in denial of rights, privileges, and immunities guaranteed plaintiffs and other citizens by the Constitution of the United States.

21. Despite the fact that they knew or should have known of the fact that this pattern of conduct was being carried out by their agents and employees, the City of Mission and Hidalgo County, took no steps or efforts to order a halt to this course of conduct, to make redress to these Plaintiffs or other citizens injured thereby, or to take any disciplinary action whatever against any of their employees or agents, and Defendants have in fact praised and commended their police officers and deputies, such praise having the effect of encouraging their agents and employees to continue this pattern of conduct.

22. Each of the Defendants, separately and in concert, acted outside the scope of its jurisdiction and without authorization of law and Sheriff Guadalupe "Lupe" Treviño, separately and in concert, acted wilfully, knowingly, and purposefully with the specific

intent to deprive Plaintiffs of their rights secured to Plaintiffs by the provisions of the due process clause of the Fifth and Fourteenth Amendments to the Constitution of the United States, and by Title 42 United States Code Sections 1983.

23. Further, when interviewed by local news reporters, Sheriff Guadalupe "Lupe" Treviño referred to Plaintiff Jose G. Perez as a "small-time drug dealer", when Treviño, knew or should have known by reasonable investigation, that Perez had no criminal record. Treviño's malicious and untruthful statement has caused Perez great embarrassment and mental anguish. Accordingly, Plaintiff Jose G. Perez is seeking compensation according to law for the slanderous statements of Sheriff Guadalupe "Lupe" Treviño.

DAMAGES

24. As a direct and proximate result of the occurrence made the basis of this lawsuit, JOSE G. PEREZ , MARIA GUADALUPE PEREZ and PATRICK L.T. SHUMAKER, Plaintiffs, were caused to suffer extreme emotional trauma, and to incur the following damages:

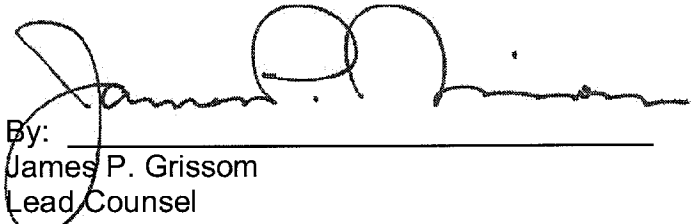
- A. Mental anguish in the past; and
- B. Mental anguish in the future.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiffs, JOSE G. PEREZ , MARIA GUADALUPE PEREZ and PATRICK L.T. SHUMAKER, respectfully pray that the Defendants be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for the Plaintiffs against Defendants, jointly and severally, for damages in an amount within the jurisdictional limits of the Court; together with pre-

judgment interest at the maximum rate allowed by law; post-judgment interest at the legal rate, costs of court; and such other and further relief to which the Plaintiffs may be entitled at law or in equity.

Respectfully submitted,



By: _____

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Attorneys for Plaintiffs

JOSE G. PEREZ

PLAINTIFFS HEREBY DEMAND TRIAL BY JURY

CERTIFICATE OF SERVICE

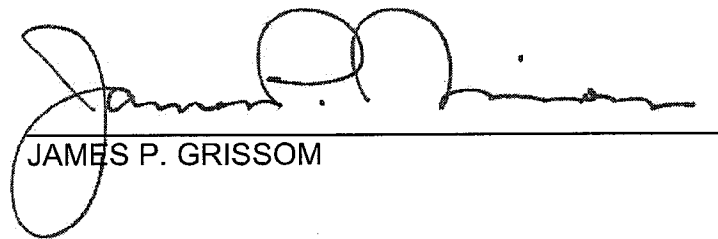
The undersigned attorney hereby certifies that a copy of this pleading was served upon all counsel of record listed below via the USDC ECF system and the transmission was reported as complete.

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CITY OF MISSION



JAMES P. GRISSOM



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Civil Docket; Case CL-12-0522-G 484274; Civil
 HECTOR RIVERA JR vs. JONATHAN TREVINO INDIVIDUALLY AND AS POLICE OFFICER FOR THE CITY
 OF MISSION OF HIDALGO COUNTY JOINT NARCOTIC TASK FORCE
 Filed 02/13/2012 - Disposition: 03/29/2012 Disposed
 County Court at Law #7, [County Clerk](#), Hidalgo County, [Texas](#)

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Date	Description/Comments	Reference	Typ	Amount
02/13/2012	Plaintiff's Original Petition (OCA) PLAINTIFF'S ORIGINAL PETITION (POP)		"	.00
	Citation Issued (Fee) CL-12-0522-G 02/13/2012 CITATION ISSUED JONATHAN TREVINO PICKED UP BY: FRANK PRADO 2/13 CITATION ISSUED (CI TISS)		"	.00
	Citation Issued (Fee) CL-12-0522-G 02/13/2012 CITATION ISSUED CITY OF MISSION & COUNTY OF HI DALGO, JUDGE RAMON GARCIA/ PICKED UP S AME DAY BY FRANK PRADO CITATION ISSUE D (CITISS)		"	.00
	Citation Issued (Fee) CL-12-0522-G 02/13/2012 CITATION ISSUED CITY OF MISSION, MAYOR NORBERT O SALINAS/ PICKED UP SAME DAY BY FRANK PRADO CITATION ISSUED (CITISS)		"	.00
02/14/2012	Citation Returned Served CL-12-0522-G 02/14/2012 CITATION RETURNED SE CITY OF MISSION AND COUNT Y RAMON GARCIA/ SERVED 2.14.12 CITATI ON RETURNED SERVED (CRS)		"	.00
	Citation Returned Served CL-12-0522-G 02/14/2012 CITATION RETURNED SE JONATHAN TREVINO 2.13.12 CITATION RETURNED SERVED (CRS)		"	.00
	Citation Returned Served CL-12-0522-G 02/14/2012 CITATION RETURNED SE CITY OF MISSION CITATION RETURNED SERVED (CRS)		"	.00
03/05/2012	Defendants Original Answer CL-12-0522-G 03/05/2012 DEFENDAN T'S ORIGINAL DEF JONATHAN TREVINO, INDIVIDUALLY AND AS POLICE OFFICER FOR TH E CITY OF MISSION, AND CITY OF MISSION 'S ORIGINAL ANSWER DEFENDANT'S ORIGIN AL ANSWER (NISI.DOA)		"	.00

03/07/2012	Defendants Original Answer CL-12-0522-G 03/07/2012 DEFENDANT T'S ORIGINAL DEF HIDALGO COUNTY'S ORIGINAL ANSWER AND PLEA TO THE JURISDICTION DEFENDANT'S ORIGINAL ANSWER (NISI. DOA)	"	.00
03/08/2012	Jury Demand CL-12-0522-G 03/08/2012 JURY DEM AND DEFS JURY DEMAND JURY DEMAND (JURY)	"	.00
03/13/2012	Motion CL-12-0522-G 03/13/2012 MOTION DEF JONATHAN TREVINO, INDIVIDUALLY AND AS POLICE OFFICER FOR THE CITY OF MISSION, AND CITY OF MISSION'S MOTION TO DISMISS/ORDER MOTION (MOT)	"	.00
03/14/2012	Motion to Dismiss CL-12-0522-G 03/14/2012 MOTION TO DISMISS DEF HIDALGO CO'S MOTION TO DISMISS, ORDER ATTACHED MOTION TO DISMISS (MOTD)	"	.00
03/20/2012	File Checked Out FILE CHECKED OUT (FCO)	"	.00
03/29/2012	Disposition (\$DISP)	"	.00
	Order of Severance, Signed CL-12-0522-G 03/29/2012 ORDER OF SEVERANCE, DISMISSAL HR 4.26.2012; NOT SENT TO YSMAEL FONSECA, RICHARD ALAMIA, PRESTON HENRICHSON ORDER OF SEVERANCE, SIGNED (OSS)	"	.00
	File Checked In FILE CHECKED IN (FCI)	"	.00
04/05/2012	Amended PLAINTIFF'S AMENDED ORIGINAL PETITION	"	.00
04/10/2012	Answer PLAINTIFF'S ANSWER TO DEFENDANT HIDALGO COUNTY'S ORIGINAL ANSWER AND PLEA TO THE JURISDICTION/recvd at wrhs on 4-13 -12	"	.00
04/24/2012	File Checked Out	"	.00
04/25/2012	File Checked In	"	.00
	Order Setting Hearing, Signed on def mot to dismiss set 5-3-12 8:30am	"	.00
04/26/2012	Court Entries Dismissal granted , order to be submitted for signature	"	.00
	Order Received ORDER GRANTING DEFENDANT JONATHAN TREVINO INDIVIDUALLY AND AS POLICE OFFICER FOR THE CITY OF MISSION AND CITY OF MISSION'S MOTION TO DISMISS	"	.00
04/30/2012	File Checked Out	"	.00
	First Amended DEFENDANT HIDALGO COUNTY'S FIRST AMENDED MOTION TO DISMISS/OSH	"	.00
	First Amended DEFENDANT HIDALGO COUNTY'S FIRST AMENDED ANSWER AND PLEA TO THE JURISDICTION	"	.00
05/01/2012	Order Received ORDER GRANTING DEFENDANT JONATHAN TREVINO, INDIVIDUALLY AND AS POLICE OFFICER FOR THE CITY OF MISSION, AND CITY OF MISSION'S MOTION TO DISMISS	"	.00
05/02/2012	Motion to Dismiss signed	"	.00
	File Checked In	"	.00
05/03/2012	File Checked Out	"	.00
	Second Amended PLAINTIFF'S SECOND AMENDED PETITION & REQUEST FOR DISCLOSURE	"	.00
05/04/2012	Order Granting Motion of Dismissal, Signed	"	.00
	Order, Signed ORDER GRANTING DEFENDANT JONATHAN		

	TREVINO, INDIVIDUALLY AND AS POLICE OFFICER FOR THE CITY OF MISSION, AND CITY OF MISSION'S MOTION TO DISMISS	"	.00
05/07/2012	Findings of Fact and Conclusions of Law REQUEST FOR FINDINGS OF FACT AND CONCLUSIONS OF LAW	"	.00
05/08/2012	File Checked In	"	.00
05/10/2012	File Checked Out	"	.00
05/15/2012	Copies Mailed to Attorney(s) YSMAEL D. FONSECA/RICHARD R. ALAMIA/PRESTON E. HENRICHSON	"	.00
	Copies Mailed to Attorney(s) YSMAEL D. FONSECA/RICHARD ALAMIA/PRESTON E. HENRICHSON	"	.00
05/17/2012	File Checked In	"	.00
05/22/2012	Motion PLAINTIFF'S MOTION FOR A NEW TRIAL/OSH	"	.00
05/24/2012	File Checked Out	"	.00
05/25/2012	Order Setting Hearing, Signed mtn for new trial 6.18.2012; not faxed to richard alamia, preston henrichson, willette and guerra	"	.00
	File Checked In	"	.00
06/06/2012	Motion for New Trial DEFENDANT CITY OF MISSION'S RESPONSE TO PLAINTIFF'S MOTION FOR NEW TRIAL/ OSH	"	.00
06/08/2012	Motion DEFENDANT HIDALGO COUNTY'S RESPONSE TO PLAINTIFF'S MOTION FOR NEW TRIAL /OSH	"	.00
06/12/2012	File Checked Out	"	.00
06/13/2012	Court Entries order setting hr needs to be submitted for motion for new trial	"	.00
06/14/2012	File Checked In	"	.00
06/18/2012	Court Entries mtn for new trial denied	"	.00
	Order, Signed ORDER DENYING PLAINTIFF'S MOTION FOR NEW TRIAL	"	.00
	Order, Signed ORDER DENYING PLAINTIFF'S MOTION FOR NEW TRIAL	"	.00
06/19/2012	File Checked In	"	.00
06/26/2012	Notice of Appeal	"	.00
07/03/2012	Designation of Clerk's Record /recvd at wrhs on 7-11-12	"	.00
07/06/2012	Clerk's Entry APPEAL COMPLETED/ WILL BE WALKED ON 6.13.12/recvd at wrhs on 7-19-12	"	.00
07/17/2012	Bill of Cost	"	.00
	Fax FAXED BILL OF COSTS TO RICHARD R. ALAMIA	"	.00
07/19/2012	Letter Received THIRTEENTH COURT OF APPEALS/recvd at wrhs on 7-20-12	"	.00
	First Amended FIRST AMENDED NOTICE OF APPEAL/recvd at wrhs on 7-20-12	"	.00
08/23/2012	Bill of Cost REC'D AT WRHS 8.24.12	"	.00
	Supplemental SUPPLEMENTAL CLERK'S RECORD APPELLANT COURT CAUSE NO. 13-12-443-CV recv'd at wrhs 8.27.12	"	.00
08/30/2012	Letter Received THIRTEENTH COURT OF APPEALS recv'd at wrhs 8.31.12	"	.00
09/07/2012	Letter Received THIRTEENTH COURT OF APPEALS /	"	.00

	MEMORAND UM recv'd at wrhs 9.17.12		
11/15/2012	Letter Received 13TH COURT OF APPEALS/ MANDATE/recv'd at wrhs on 11-19-12	"	.00

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